

Entered 05-20-02 sb
CL 02L0360 GWENDOLYN BURNS

04- *R* -1541

CLAIM OF: SIEMENS WESTINGHOUSE POWER
1299 Northside Drive, NW
Atlanta, Georgia 30318

For damages alleged to have been sustained from a
sewer back up on April 23, 2004 at 1299 Northside
Drive, NW.

THIS ADVERSED REPORT IS
APPROVED

BY: _____

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL

SEP 07 2004

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 6/3/04

CHAIR: H. G. [Signature]

Joyce M. Shaden

Wayne [Signature]

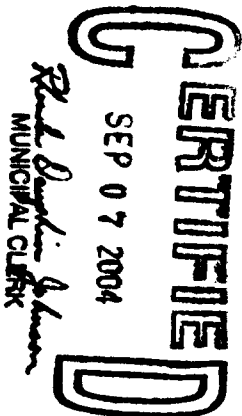
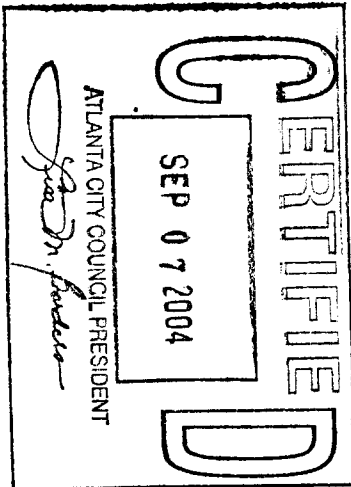
C. F. [Signature]

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COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: MAY 6, 2002

ENTERED - 5-20-02 - SB
02L0360 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 32,393.60 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: Nov. 23, 2001 (month/day/ year) 2. Time of Incident: 12:00A - 12:00P 3. Police called: X Yes No
4. Location of incident (including street address): 1299 NORTHSIDE DRIVE, NW. ATLANTA
5. Name of your insurance company: SELF-INSURED Policy No. _____
6. State what and how incident occurred: STORM/SEWER LINE DAMAGED ON WEST SIDE OF NORTHSIDE NEAR ATLANTA WATER WORKS DURING CONSTRUCTION WHICH CAUSED A BACK UP ONTO PROPERTY RESULTING IN APPROXIMATELY 30,000 GAL. TO FLOOD OUR BOILER ROOM OVER THANKSGIVING WEEKEND. PROBLEM PERSISTED SEVERAL WEEKS BEYOND NOTIFICATION.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: _____
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. Claims must be received within 6 months of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Irvin E. Hollins
Signature of Claimant

SIEMENS WESTINGHOUSE POWER
ATTN: IRVIN E. HOLLINS
(Print Claimant's Name)
1299 NORTHSIDE DRIVE, N.W.
(Address)
ATLANTA, GEORGIA 30318
(City, State and Zip Code)
(678) 256-5509
(Work Number) (Home Number)



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

September 14, 2004

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Siemens Westinghouse Power
Attn: Irvin E. Hollins
1299 Northside Drive, NW
Atlanta, GA 30318

04-R-1541

Dear Mr. Hollins:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 07, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department